

UNSTARRED QUESTION NO:5728
ANSWERED ON:07.04.2017
SPICe
Udasi Shri Shivkumar Chanabasappa

- (a) whether the segment of trade and industry has welcomed the Simplified Proforma for Incorporating Company electronically (SPICE) and if so, the details thereof;
- (b) the details of precautionary measures incorporated in this digital proforma in ascertaining the authenticity of an applicant as well as the products, services and the legal and regulatory structures aligned therein;
- (c) whether the Trade Commissionerates and Commercial Attaches at all the Indian diplomatic missions have been trained in the execution of SPICE with prospective investors and collaborations from abroad; and
- (d) if so, the details thereof?

THE MINISTER OF STATE
IN THE MINISTRY OF CORPORATE AFFAIRS (SHRI ARJUN RAM MEGHWAL)
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(a to d) The Ministry of Corporate Affairs had introduced e-form INC-32 - SPICe (Simplified Proforma for Incorporating Company Electronically), in October 2016. The Ministry has since then received positive feedback from stakeholders and professional chambers on SPICe. Ink signed signatures have been replaced with Digital Signatures in the Memorandum of Association and Articles of Association which are submitted as linked forms to SPICe. Authenticity of information submitted in the eform is ensured by obtaining declaration to that effect from the professional, such as an advocate/ chartered accountant / cost accountant / company secretary in practice, who certifies that the particulars mentioned in the form including the attachments have been verified from the original/certified records maintained by the applicant and found them to be true, correct and complete. The professional then digitally signs and submits the e-form. In addition, the person named in the Articles of Association as a director/manager/secretary of the company also has to give a declaration confirming the fulfilment of all requirements for registration under the Companies Act and Rules thereunder. Any false statement in this regard is punishable under section 448 of the Companies Act, 2013. Detailed Instruction Kit and Frequently Asked Questions (FAQs) on SPICe form are available on the Ministry's website for the information and guidance of the stakeholders.
